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Vaughan, John Henry, 1880-
A preliminary report on the archives of
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A PRELIMINARY REPORT ON THE
ARCHIVES OF NEW MEXICO

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BY
JOHN H. VAUGHAN

Reprinted from the Annual Report of the American Historical Association
for 1909, pages 465-490



*With Compliments of
The Author*

WASHINGTON
1911

**From The Library Of
Professor Charles W. Hackett**

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A PRELIMINARY REPORT ON THE ARCHIVES OF NEW MEXICO.

It would be hard to find a State or Territory whose records are in a more chaotic and incomplete condition than those of New Mexico. In view, however, of the many powers, Spanish, Indian, Mexican, and American, by which it has been ruled or misruled, the wonder is not that its records are disorganized or lost, but that it has any records at all. The Spanish people who controlled its early destinies have always left rather full accounts of their deeds wherever they went. This is particularly true of the reports which they made to the higher authorities. These, however, are to be found chiefly in the great central repositories in Mexico and Spain. This fact calls our attention to the great importance of the Spanish and Mexican archives for the history of New Mexico and the Southwest. But early New Mexico presents a situation which was not conducive to the writing of history or the keeping of elaborate records. It was a wild, barren region, traversed and harassed by bands of savage Indians, and was far away from any center of civilization offering the means and incentives for such work. Its inhabitants were engaged in the difficult business of conquering their immediate physical environment, not in writing books.

The documentary period of New Mexican history extends from 1598, when Don Juan de Oñate planted the first permanent Spanish settlement at San Gabriel (now Chamita, 30 miles north of Santa Fe), down to the present time. But the documents are far from covering the period. The chief reasons for this will be recited in the following paragraphs:

In August, 1680, there was a general uprising of the Pueblo Indians, known as the Pueblo Rebellion. All Spaniards were either driven from the country or butchered in true Indian fashion. When the natives were once more in undisputed possession they took full advantage of their victory. Santa Fe was the capital and record town of the Province. Here the Pueblos brought forth all records of the church and Government and made a bonfire of them in the center of the plaza. Thus perished in a day the records of almost a century of Spanish occupation of New Mexico. There is a tradition that when Gov. Otermin and his people abandoned Santa Fe and

started south they carried with them a very considerable body of records. These were evidently deposited at El Paso del Norte, where it is supposed that they still remain. For the history of this period we must go to the archives of Mexico and Spain and to the books written in those countries at that time. Much of what happened in those years in this far-away northern Province must remain forever a sealed secret. There are in the Library of Congress, as I shall point out later, a few documents from the period prior to 1680, one of them dating back to 1621. It is probable that these documents were carried away by the departing Spaniards at the time of the Pueblo Rebellion and brought back at the time of the reconquest by Don Diego de Vargas, 1692-1694, and not that they remained in the Province during that period of Pueblo government. In connection with the archives of the Historical Society of New Mexico I shall point out one brief contemporary account of the Pueblo Rebellion, which is now in the possession of that society.

Another case of wanton destruction of records, though of less importance than the preceding, belongs to the same period. H. O. Ladd, in *The Story of New Mexico* (p. 125), tells us that in 1674 Friar Francisco de Ayeta came to New Mexico as procurer and became the director of the missions, and that there was an official reconciliation between the secular authorities and the clergy (about 1676), as a result of which all previous documents containing accusations of any kind against the ecclesiastics were publicly burned at Santa Fe.

From the return of the Spanish settlers in 1692-1694 until the time of the American occupation the records of the Territory seem to have suffered no special loss and to have been in the main well cared for. In 1870 the archives were injured by an act of vandalism unparalleled in our history. In a time of profound peace, under an administration supposedly civilized, the American governor of New Mexico allowed its archives to be sold to the merchants of Santa Fe as wrapping paper, and even to be used as kindling in the offices. These records had been badly neglected and abused during and since the Civil War. They were very numerous, and, perhaps, in the way in the then crowded condition of the old governor's palace. There were, in fact, wagonloads of them, the hoarded-up historical treasures of more than a hundred and eighty years. Nothing can be said in defense of such a crime against the people of the Territory in particular and historical scholarship in general.

SPANISH AND MEXICAN ARCHIVES.

When this Territory was acquired from the Republic of Mexico, in 1848, all the official records of New Mexico passed with the Territory from the control of the Government of Mexico into that

of the Government of the United States. This included all the existing records prior to 1847. The Federal authorities then in control allowed the documents to remain in the custody of the Territorial authorities, and this custody continued to be exercised without question until 1903. They were not always given the consideration to which they were entitled by their value. This was due partly to lack of interest, but largely to lack of facilities or of funds for procuring facilities for their preservation.

In the early days these documents were stored in the government building known as the "Old Palace" in receptacles which were entirely inadequate. They were left scattered about the rooms, upon open shelves, or on the floor. We have already seen the fate of many of them in the period following the Civil War. There is no question that many of the more important papers relating to, or bearing directly on, the question of land titles in the Territory were borrowed from the general stock and were not returned. Many documents of the latter kind may undoubtedly be found at this time among the papers of private individuals who have had, at one time or another, actions at law relative to land-grant titles in the Territory. On February 4, 1854, the Legislature of New Mexico adopted a memorial to the Congress of the United States reciting that the archives of the Territory were in a ruined condition, documents of great importance being much exposed and in danger of being destroyed, and the Territory being without the means to pay for their arrangement and preservation in a manner that would secure their permanency. In view of this situation, the memorial asked Congress to appropriate \$15,000 for said purpose and for translating. Congress paid no attention to the request, and the archives remained as they were.

The only attempt ever made by the Territorial legislature to provide for the proper care and custody of these records is found in the provision of chapter 61 of the laws of 1893, under which an appropriation of \$600 was made available for the purpose of cataloguing, numbering, translating, and indexing these archives.

A contract with this end in view was let by the governor, and work under it was begun. But no one at all familiar with the character and volume of these records will need to be told that this meager appropriation was wholly inadequate for the work to be done, and that as a matter of necessity no permanent results were attained under this contract.

After the completion of the present Territorial capitol in 1900 and the removal of the Territorial offices from the "Old Palace" to the capitol building these old documents were transferred to the office of the Territorial secretary and stored in the vault adjoining the office. Here they were arranged, roughly, in the order of their dates, were

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tied in packages, and stored as carefully as was possible on the shelving in a vault available for that purpose. In 1901, however, it was clearly seen that these documents, which occupied nearly all the shelf space on one side of the vault, would have to be removed in order to make room for the current records of the office, the volume of which was constantly and rapidly increasing.

About this time correspondence was being received from the authorities at Washington, particularly from the Librarian of Congress, asking that these Spanish and Mexican archives be transferred to the Library of Congress at Washington, where they would be stored in a manner absolutely safe, also classified, indexed, and translated by persons trained in this line of work, and without expense to the Territory. Recommendations to this effect were made by the secretary of the Territory in 1899, 1901, and 1903; and the governor in his message to the legislative assembly called the attention of that body to the circumstances on at least one occasion. No action of any kind was taken or even considered until 1903. During the session of that year the Librarian of Congress was a visitor in Santa Fe, in the month of February, and discussed the matter with the members of the legislature and the Territorial officials. The result of this discussion was the drafting of an act which provided for the transfer of these documents to the Library of Congress, which, through the Librarian, entered into certain stipulations, as to the preservation, classification, and indexing of the documents free of charge to the Territory. Through the intervention of certain persons this act was amended after its introduction so as to stipulate that all of the archives found to relate to land titles or to local and personal matter, and not of great historic interest, should be returned within one year, and that all the remainder of said archives, upon being properly analyzed and classified, should within five years of their reception at Washington be returned to New Mexico. The result was that when the act was finally passed, as amended, the authorities at Washington refused to enter into the stipulations as provided for in said act (chap. 102, laws of 1903).

The negotiations of the Library of Congress had failed to secure the records; but the incident was not closed. The authorities at Washington held that these archives were, and always had been, subject to the control and supervision of the Federal Government. Acting on this assumption, the Secretary of the Interior, April 29, 1903, directed the governor of New Mexico to forward the archives to the Interior Department. They were accordingly expressed from Santa Fe to the department May 9, 1903. Here they were immediately turned over to the Library of Congress, and were held to be the property of the United States Government, the control of them in the Secretary of the Interior.

The authority of the Secretary of the Interior to turn these records over to the Library of Congress was alleged to be found in the following act of Congress, approved February 25, 1903:

The head of any executive department or bureau or any commission of the Government is hereby authorized, from time to time, to turn over to the Librarian of Congress, for the use of the Library of Congress, any books, maps, or other material in the library of the department, bureau, or commission no longer needed for its use, and in the judgment of the Librarian of Congress appropriate to the uses of the Library of Congress.

Turning from the history of this great collection of archives to its contents and present condition, the following tentative account must suffice:

1. They are stored in the Manuscripts Division of the Library of Congress.

2. Quantity of material, approximately: 20,000 documents, 10,000 in manuscript, containing from 1 to 200 folios each, and 10,000 printed, mostly of 1 to 4 folios.

3. Dates covered: From 1621 to 1847 chiefly; some miscellaneous undated material and papers relating to Indian depredations, 1860-1873.

4. Subjects: Indian affairs; reconquest of New Mexico, 1681 f.; military records; civil and criminal cases; ecclesiastical affairs; civil administration; local government; economic conditions; governmental projects for advancing material progress; introduction of vaccination; schemes to prevent Anglo-American encroachments; and kindred subjects.

The printed material consists, for the most part, of royal cédulas, decrees, viceregal proclamations, decrees and proclamations from the comandante general of the Provincias Internas del Norte.

5. Present condition: All the material has been arranged chronologically, the sheets being cleaned, pressed free of creases, and stored flat; the manuscripts are in 180 half-leather portfolios; the printed material has been, in part, repaired, mounted, and bound in half-morocco folio volumes; the unmounted part is stored flat in manila jackets.

6. Work: A calendar, in English, is in process of preparation, with an index of the more important names and topics treated; it has been brought down to the year 1805. The catalogue prepared some years ago by Mr. Adolphe Bandelier was nearly all lost before the papers passed into possession of the Library, but the small part preserved is typewritten. The entries are briefer than those in the calendar now in progress. It is not indexed, and is partly in Spanish.

This brief summary shows the enormous importance of the New Mexico archives in the Library of Congress. Here are stored away the sources for two and a half centuries of the Territory's history.

To it everyone who would fully understand her history prior to the American occupation must go. There is no body of documents anywhere in the Territory that can be compared with it in comprehensiveness or importance.

ARCHIVES OF THE HISTORICAL SOCIETY OF NEW MEXICO.

The Historical Society of New Mexico is the only institution in the Territory that is making any comprehensive effort to collect and preserve the scattered records and historical archives relating to the history of this portion of the Southwest. The society's usefulness is curtailed by shortness of funds; yet with the small means at its disposal, it has gone on modestly rendering a great service to the cause of historical scholarship. A few of the documents and collections of documents in its archives should be mentioned at this point:

1. A copy of the funeral oration preached in the cathedral of the City of Mexico, March 20, 1681, on the death of the 21 Franciscan friars killed by the Pueblo Indians in the revolt known as the Pueblo Rebellion of 1680. The copy was secured in Santiago de Chile, and a translation into English was published by the society in 1906, under the title, "The Franciscan Martyrs of 1680," being No. 7 of the publications of the society. The transcendent importance of this sermon is due to the fact that it is a contemporary account of the revolt, by members of the Franciscan Order, and sets at rest any doubts that may have existed as to the causes of that famous revolution, showing that they were chiefly religious.

2. The Mogollon collection. A collection of historical documents of the time of Gov. Juan Ignacio Flores Mogollon, 1712-1715. This collection is thought to contain a portion of the archives sold in the time of Gov. Pile or otherwise taken from the palace years ago.

3. Records of the northern jurisdiction during the period of the Mexican Republic, being most of the documents officially filed in that jurisdiction, and hence a storehouse of material for the history of the government under Mexican administration.

4. The Vigil collection. Donaciano Vigil was the first secretary of New Mexico under American rule, being appointed by Gen. Kearny, September, 1846. After the murder of Gov. Charles Bent in January, 1847, he became acting governor until 1848. He was a man who carefully preserved all papers and correspondence that came into his hands. This collection contains:

- (1) The original proclamation issued by Gov. Manuel Armijo as he left Santa Fe to meet the American invaders, signed by the governor's own hand.

- (2) Copy of letter sent by Acting Gov. Vigil y Alarid, August 18, 1846, to Gen. Kearny, then but a few miles from the city, stating the

fears and excitement of the people, and asking that special consideration be shown by troops in order to allay this feeling.

(3) Original proclamation of Gen. Kearny on taking possession of Santa Fe on the morning of August 19, 1846.

(4) Original draft of Acting Gov. Vigil y Alarid's reply to Kearny's proclamation, accepting the sovereignty of the United States, and pledging the loyalty of the people to the American Government.

(5) Many documents concerning the New Mexican revolt of 1846-47, including the proclamation issued by Gov. Charles Bent when he was leaving Santa Fe on his fatal journey to Taos, January, 1847.

(6) A large collection of Vigil's correspondence with leading men in New Mexico during the first years of the American occupation, giving an inside view of the sentiment of the people in that critical period.

(7) A number of specimens of the earliest printing and first newspapers of New Mexico.

The value of this collection for the history of the period of the American occupation needs no comment.

5. Collection of old maps. A large and priceless collection of rare, ancient maps of America, particularly those relating to the Southwest. Their number forbids enumeration in the space at my disposal.

6. Collection of photographs and historic articles. The photographs are largely of men who have been prominent in political and military affairs in the Territory during the past century. The collection of historic articles is really a great museum of southwestern history and archæology from prehistoric times to the beginning of the twentieth century.

TERRITORIAL ARCHIVES IN SANTA FE.

The archives at the territorial capital are all of comparatively recent date, practically none of them going back of 1850. Many of them are complete and well cared for; others have been badly neglected. These matters will be pointed out more specifically in connection with records of each department.

THE GOVERNOR'S OFFICE.

This is not really a record office, the executive records being kept by the territorial secretary. There is, however, to be expected of it the one item of official correspondence. In the vault we find the following:

Official letters received (general), 1897-1908, 54 volumes.

Official letters received (statehood), 1 volume.

Official letters received (from departments at Washington), 1897-1908, 6 volumes.

Governor's official letter book, June, 1901-1908, volumes 11-23, inclusive. Prior to 1901 each governor carried away his letter books at the close of his term.

The letters received are in filing cases, each case numbered as a volume. None of them date back of 1897—a fact which is to be greatly regretted, as is also the destruction of the letter books prior to 1901.

OFFICE OF THE SECRETARY OF THE TERRITORY.

This office is properly the executive record office of the Territory. Its records are all stored in a large fire-proof vault adjoining, and are well arranged and cared for. It contains the following:

Executive records of New Mexico:

Volume I, March 13, 1853, to January 14, 1867.

Volume II, July 25, 1867, to November 8, 1882.

Volume III, November 8, 1882, to December 30, 1890.

Volume IV, January 5, 1891, to June 29, 1898.

Volume V, July 1, 1898, to June 29, 1903.

Volume VI, July 1, 1903, to August 7, 1907.

Volume VII, August 8, 1907, to date.

The contents of the executive records may be indicated by the following list of documents and subjects covered: Proclamations of governors, commissions to officers, oaths of office, Indians, courts, officers of legislative assemblies, pardons, reprieves, commutations, official communications of secretary of the Territory, elections, proclamations of Presidents announcing the appointment of governors and other officers, oaths of office administered by Chief Justices of the United States Supreme Court to governors of the Territory, messages of governors to the legislative assemblies, military orders of the adjutant general, governor's approval of legislative acts, articles of incorporation for the various corporations doing business in the Territory, etc. Volume I calls for special mention because of the fact that during the first few years of the period which it covers the record is made sometimes in Spanish and sometimes in English. This volume contains Gov. Calhoun's proclamation of August 8, 1851, calling an election for the first Monday in September to elect a Delegate to Congress. It also contains the governor's certificate of election, September 10, 1851, to Richard H. Weightman, first Delegate in Congress from the Territory of New Mexico. This set of executive records is by all odds the most important single set in existence for the history of the Territory since the beginning of American Government.

Record of official bonds:

Volume A, February 25, 1893, to July 1, 1907.

Volume B, July 1, 1907, to date.

Miscellaneous records:

Volume I, January 6, 1876, to January 7, 1882.

Volume II, January 10, 1882, to January 21, 1907.

Volume I contains chiefly certificates of incorporation of companies, churches, societies, etc.; volume II, chiefly records of election and oaths of office of members and officers of the legislature.

Corporation record (in view of contents of miscellaneous records there is no volume I).

Volume II, January 9, 1882, to June 28, 1883.

Volume III, June 29, 1883, to December 30, 1885.

Volume IV, January 30, 1886, to March 14, 1899.

Volume V, April 1, 1899, to 1909.

Records of commissioners of deeds, Territorial boards of all kinds, and Territorial officers except governor, 1 volume, March 26, 1852, to 1908.

Records of "Board of public works," 1 volume, January 18, 1853, to February 28, 1857, mainly expenses of buildings and grounds about the old capitol.

Register of civil officers, 1 volume, 1852 to 1856, inclusive.

"Records," 2 volumes. One covering the period December 9, 1851, to July 3, 1853, and containing chiefly deeds and transfers of real estate of these dates and prior thereto, some going back to the early thirties; the other covering the period August 30, 1852, to June 22, 1861, and containing official correspondence of the secretary of the Territory.

Original bills, laws, joint resolutions, memorials, and so forth, of the legislative assemblies, first to thirty-eighth inclusive (1851 to date), kept in filing cabinet in vault.

Original papers filed by corporations, notaries public, and so forth, are kept in the same manner. Large number.

Typewritten copies of all bills, joint resolutions, and so forth, that have been introduced into the legislature and not passed, since 1890, are kept in bound volumes, now 16 in number.

Secretary's letter book, December 30, 1897, to date, 35 volumes. Letters back of this date are not kept at all, or are scattered through the executive records and filing cases, and hence are not available for report.

Joint resolutions and memorials passed by the legislative assembly from 1891 to date (twenty-ninth to thirty-eighth inclusive).

Bound volumes of laws passed by the legislative assembly, 1891 to date, twenty-ninth to thirty-eighth inclusive.

Council journals, 1851 to 1909, 20 volumes. Some of the early volumes contain the journals of more than one session, notably volumes 1-7 and 9. Volumes 2 and 3 are badly confused, volume 2 having records in it for 1857-1862, and volume 3 for 1856-1859.

House journals, 1851-1909, except for the session of 1873 and for the period 1882-1889, 18 volumes. Volumes 3-7 each contain journals of more than one session.

This brief catalogue of the records of the secretary of the Territory's office makes it clear (1) that it is an extremely important office for historical research; (2) that during the first 40 years of government as an American Territory New Mexico's official records, documents, and letters were attended to with too little care for their systematic preservation; and (3) that during recent years the office is under business administration, and the archives are being cared for accordingly.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Reports of the supreme court of New Mexico, 1852-1909, 14 volumes.

Opinions of the court (manuscript), 1852-1907, 8 volumes. The first volume covering the period 1852-1879 inclusive, is not numbered, and volumes 2 to 8 (1880-1907 inclusive) are numbered 1-7.

Bar docket of the supreme court, 1868-1887, 2 volumes.

Supreme court docket, 1868 to date, 5 volumes. The first two volumes, 1868-1885, are not numbered; the third, fourth, and fifth volumes, 1879 to date, numbered 1-3, show the carelessness with which the records have been kept by lapping back over the period from 1879 to 1885.

Supreme Court record, 1852 to date, 6 volumes. The first two volumes are numbered I and II, the last four A to D.

There are also in the vault adjoining this office 130 filing cases, labeled by number of cases, containing complete record of all cases that have come before the supreme court to date, cases 1 to 1,200. They contain transcript of record, assignment of errors, brief of appellant, brief of appellee, motions, opinion of court, and so forth.

Roll of attorneys and counsellors at law practicing before the supreme court of New Mexico, 1898 to date, 1 volume. (Also all names back of 1898 which the clerk could get.)

Record of admission to the New Mexico bar, 1899 to date, 1 volume.

OFFICE OF THE UNITED STATES COMMISSIONER OF PUBLIC LANDS.

This office was created in 1898. Its records are therefore all of recent date. They are, however, of the very greatest importance to the student of our territorial land system. The office has a large section of filing cases, the most important contents of which are the following:

Contests pending before the commission, 1 file.

Railway right of way papers, 1 file.

Elephant Butte Water Users' Association papers, 1 file.

Unapproved institutional leases on file in Department of the Interior, 1 file.

Other unapproved leases on file in the Department of the Interior, 4 files.

Papers issued by Secretary of the Interior granting institutional lands selected by the Territory, 15 files.

Letter book containing correspondence of the office to date, 32 volumes.

Legal opinions rendered by the attorneys general on matters pertaining to the business of the land office, 1 file.

Papers in contest cases, 1 file.

Assessment returns of Territorial public lands, 1 file.

Records of deeds, board of public lands, 1 volume.

Journal of United States land commissioner, 1 volume.

Register of notes for payment on lease for common school lands, 1 volume.

Register of notes for payment on lease for institutional lands, 1 volume.

Cash book, commissioner of public lands, 3 volumes.

Disbursement book, board of public lands, 1 volume.

Record of applications for leases on common school and institutional lands, 1 volume.

Record of leases of common school lands, 1 volume.

Record of leases of institutional lands, 1 volume.

Tract books of institutional lands:

- No. 1. Public buildings.
- No. 2. University of New Mexico.
- No. 3. Agricultural College.
- No. 4. Reservoirs (lands appropriated for the construction of irrigation projects).
- No. 5. The Rio Grande (for expense of keeping river within its banks).
- No. 6. Insane asylum.
- No. 7. School of Mines.
- No. 8. School for Deaf and Dumb.
- No. 9. Reform School.
- No. 10. Normal schools.
- No. 11. Institute for the Blind.
- No. 12. Miners' Hospital.
- No. 13. Military Institute.
- No. 14. Penitentiary.
- No. 15. Saline lands all belonging to the university.

Tract book of common school lands, showing all sections selected, rejected, or substituted, 5 volumes.

OFFICE OF THE TERRITORIAL AUDITOR.

Register of warrants drawing interest, 1888-1894, 1 volume.
Register of warrants issued by the Territory ("Libro 2"), 1869-1872, 1 volume.
Auditor's journal ("Book No. 3"), 1873-1880, 1 volume.
Auditor's ledger, 1891 to date, 5 volumes.
Ledger showing accounts with counties since their organization (1851 et seq.) until 1877, 1 volume.
Ledger showing accounts with counties, 1885-1889, 1 volume.
Auditor's day book, 1879-1882, 1 volume.
Auditor's day book, 1891-1900, 5 volumes.
Register of bonds issued by the Territory, 1870 to date, 1 volume.
Register of mortgages (mortgaged goods), 1870-1877, 1 volume.
Record of insurance licenses, 1882-1887, 1 volume.
Record of license fees paid by insurance companies, 1885-1897, 1 volume.
Record of accounts, 1849-1865, 1 volume.
Record of warrants, 1851 to date, 15 volumes.
Assessment rolls, 1881 to date, 377 volumes.

OFFICE OF THE TERRITORIAL TREASURER.

These archives are kept in a fire-proof vault adjoining the treasurer's office. The catalogue of the early records will make clear the chaos and general confusion of the early records. Those of late date are in an orderly condition.

Treasurer's day book:

- I. December 17, 1846-July 19, 1851.
- II. August 12, 1851-November 14, 1861.
- III. May 10, 1851-November 22, 1858.
- IV. November 19, 1861-November 20, 1872.
- V. May 12, 1870-December 31, 1886.
- VI. April 4, 1884-October 29, 1886.

The condition of this day book, which was a book for general accounts of nearly every kind, needs no comment.

Treasurer's cash book, April 15, 1891, to date, 7 volumes.

Treasurer's ledger, April 15, 1891 to date, 6 volumes.

General and special accounts, March 7, 1891-March 12, 1895, 1 volume.

Treasurer's accounts with counties, 1872-1875, and libranzas pagadas por la tesorería Territorial (drafts paid by the Territorial treasury), July 5, 1869-July 8, 1875, 1 volume.

Money received from sheriffs of counties, 1882-1890, 1 volume.

Sheriffs' accounts, December 26, 1889-December 31, 1891, 1 volume.

Book A, showing accounts of various Territorial funds (for institutions and other purposes), 1885-1891, 2 volumes, both marked "Book A."

Register of Territorial warrants, 1882-1895, 3 volumes.

Register of auditor's report of warrants issued, 1891-1895, volumes II-IV (I missing). Kept in filing cases since 1905.

Registro de los cupones pagados en la tesorería (register of coupons paid into the treasury), November 1, 1870-May, 1880, 2 volumes.

Record of bond coupons paid into the treasury, 1885-1888, 1 volume.

Record of bond coupons paid into the treasury, 1901 to date, 1 volume.

Register of receipts and disbursements of the territorial treasury, 18'5-1898, 1 volume.

Statement of Territorial treasurer, 1891 to date, 6 volumes. 1901-1903 missing.

Register of bonds issued by the Territory, 1870 to date, 1 volume.

Penitentiary funds received and disbursed, August, 1884-July, 1890, 1 volume.

The office also has many other miscellaneous books and files, containing letters, receipts, county accounts, etc.

OFFICE OF THE TERRITORIAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

This office was created, along with the public school system, in 1891, and its records are indispensable for the history of public education in the Territory.

Annual report of the superintendent of public instruction, 1892-1908, 17 volumes. (The reports for 1893, 1894, 1895, 1897, and 1902 are missing.)

School laws of New Mexico, 1891-1909, 4 volumes (compilations).

Records of county teachers' certificates, 1907-1909, 5 volumes.

Record of professional certificates, three-year, five-year, and life, 1905-1909, 2 volumes.

Minute book containing record of proceedings of the Territorial board of education from its first meeting, March 5, 1891, to date, 1 volume.

Letter book of the superintendent of public instruction:

Vol. I, October 21, 1895-March 27, 1901. No entry from July 31, 1897, to November 26, 1900.

Vol. II, April 2, 1903-August 20, 1904.

Vol. III, July 20, 1903-November 22, 1904.

Same, April 1, 1905-December 31, 1909, 19 volumes.

The rapid increase in the volume of the letter book of the superintendent is indicative of the new epoch in education which began in 1905.

TERRITORIAL LAW LIBRARY.

Much material of historical significance is preserved in this library. That which seems of most importance is listed below.

Session laws of New Mexico, 1851-1909, 49 volumes.

The laws of New Mexico for 1851, the first session of the Territorial legislature, and the famous "Kearney code" are published in one volume, in both Spanish and English. Most of the session laws are printed in both languages, Spanish facing English on successive pages.

Revised statutes of New Mexico, 1855, 1 volume.

Revised statutes and laws of New Mexico, 1865 (English and Spanish), 1 volume.

Compiled laws of New Mexico, 1884 (English and Spanish), 1 volume.

Local and special laws of New Mexico, 1884 (English and Spanish), 1 volume.

Compiled laws of New Mexico, 1897 (English only), 1 volume.

Compiled laws of New Mexico, 1909, in preparation.

COUNTY ARCHIVES.

I have examined the records in five of the oldest counties of the Territory, being guided in my selection chiefly by the location of the county seat. The counties are as follows, county seats in parentheses: Santa Fe (Santa Fe), Bernalillo (Albuquerque), Taos (Taos), San Miguel (Las Vegas), Mora (Mora). The records in these counties did not prove to be of as great importance as had been expected, owing to the fact they contain very little material dating back of the American occupation, and what there is is so scattered through volumes of other documents as to be found only after long and detailed search. In almost every case the first volumes of records are storehouses of documents of every kind, all put in together. The time at my command did not permit an extended investigation of these volumes.

The probate clerk is ordinarily ex officio recorder of the county, and his office is therefore the chief, sometimes the only, record office.

SANTA FE COUNTY.

(County seat, Santa Fe.)

The records are kept in a fireproof vault adjoining the probate clerk's office.

The first and most interesting of all the records here is a volume marked "Libranzas 1847 á 1851" (drafts from 1847 to 1851), which contains on its first 13 pages the court record of the famous Trujillo treason trial, which grew out of the native revolt in the winter of 1846-47. The grand jury returned true bills against Antonio Maria Trujillo, Trinidad Barcilo, Antolion Archuleta, and Pedro Vigil for treason against the United States. During the sessions of the court, March 8 to May 3, 1847, all were brought up and dismissed, noli

prosequi, except Trujillo, who was later tried, convicted, and sentenced, March 15, to hang on Friday, April 16, at 2 o'clock p. m. He was pardoned later.

There is also another book, marked "Records of the United States district court at Santa Fe, 1847-1853," which contains an account of this same trial.

Other records are as follows:

- Record of licenses for merchants, dram shops, balls, etc., 1848-1881, 7 volumes. The record includes fees for same.
- Record of mortgage deeds, 1866-1908, 14 volumes. The early volumes contain chattel mortgages also.
- Record of chattel mortgages, 1876-1908, 5 volumes.
- Records of wills and testaments, letters of administration and guardianship, bonds of administrators and guardians, and testimony and depositions concerning the same, 1851 to date, 16 volumes (badly confused).
- Record of official bonds, 1856-1908, 4 volumes. No record for period 1886-1893. Volume for 1875-1886 marked "Libro de Fianzas de oficiales."
- Record of "Bonos librados contra la Tesorería del Condado de Santa Fe," 1855-1865, 1 volume. Bonds drawn against the treasury of the county of Santa Fe.)
- Journal of county commissioners, 1876-1908, 5 volumes.
- Journal of probate court, April 5, 1848-1908, 6 volumes. No record from December 26, 1854, to January, 1865.
- Accounts of county treasurer and collector, somewhat confused, 1865-1908, 8 volumes. No records for 1875-1885 nor for 1892-1894.
- Poll-tax lists for 1875, 1876, 1881, 1884, 1885, 5 volumes.
- Tax books for 1867-1875 and 1877-1881, 2 volumes.
- Record of mining locations and mining deeds, 1865-1908, 17 volumes.
- Proof of labor on mines, 1884-1908, 3 volumes.
- Record of mechanics' liens, 1880-1900, 2 volumes. Marked A and B.
- Record of liens (C), 1900-1908, 1 volume.
- Record of leases and contracts, 1881-1908, 2 volumes. Contains miscellaneous legal agreements of all kinds.
- Records of oaths, bonds, and commissions of notaries public, 1872-1908, 2 volumes. No record for 1894-1896.
- Record of money judgments in district court, 1891-1908, 1 volume.
- Record of fines in district court, 1877-1896, 1 volume.
- Record of estates settled in probate court, 1884-1908, 1 volume.
- Marriage record, 1863-1908, 3 volumes.
- Libro de legitimacion, 1870-1908, 1 volume.
- Record of school funds paid out, 1873-1882, 1 volume.
- Proceedings of school commissioners, 1876-1884, 1 volume. Contains records of meetings of board, employment of teachers, salaries paid, etc.
- Expenditure of school funds, October 1, 1873, to March 4, 1876. This book is marked on the outside in red ink, "Registro de Animales Estraviados."

BERNALILLO COUNTY.

(County seat, Albuquerque.)

RECORDER'S OFFICE.

All the records of this office are in a fireproof vault and are well kept. In addition to the records of Bernalillo County, there are

the following records of Santa Ana County, which was abolished and made a part of Bernalillo in 1876.

Santa Ana County probate court and miscellaneous records, 1849-1876, 5 volumes.

Santa Ana County probate court and deed records, 1853-1876, 3 volumes.

Santa Ana County record of wills and administrators, 1864-1876, 3 volumes.

(All in Spanish and badly mixed up.)

There are the following records for Bernalillo County:

Records of deeds, 1853-1908, 71 volumes.

Records of mortgage deeds, 1885-1908, 8 volumes.

Records of trust deeds, 1889-1908, 16 volumes.

Records of deeds of release, 1889-1908, 3 volumes.

Records of chattel mortgages, 1889-1908, 7 volumes.

Records of mining claims, 1867-1908, 13 volumes; index, 4 volumes.

Records of guardianship, 1876-1908, 3 volumes.

Record of wills and testaments, 1861-1908, 13 volumes.

General index to all conveyances of real estate, 10 volumes. (Early records largely in Spanish.)

CLERK OF DISTRICT COURT'S OFFICE.

(Records in vault adjoining.)

Civil docket of Bernalillo County, 1882-1908, 15 volumes.

Criminal docket of Bernalillo County, 1882-1908, 7 volumes.

Civil docket of Valencia County, ———1908, 8 volumes.

Criminal docket of Valencia County, ———1908, 2 volumes.

Civil docket of Sandoval County, 1903-1908, 1 volume.

Criminal docket of Sandoval County, 1903-1908, 1 volume.

Civil docket of McKinley County, 1901-1908, 1 volume.

Criminal docket of McKinley County, 1901-1908, 1 volume.

In a vault adjoining the grand jury room is a large mass of old court records belonging to Bernalillo and other counties. They are uncared for and in chaotic condition, but are of great importance for the history of the early court system of the Territory.

Court records of Santa Ana County, 1847-1875, 5 volumes.

Court records of Valencia County, October, 1854-1856, 1865-1873, 1873-1880, 1879-80, 4 volumes.

Court records of third judicial district (Bernalillo, Socorro, and Dona Ana), October, 1851-May, 1854, 1 volume.

Court records of third judicial district (now Bernalillo, Socorro, and Valencia), 1857-58, 1861-1864, 1865-1872, 3 volumes.

District court records for Bernalillo County, 1854-1856, 1865-1872, 1872-1878, 3 volumes.

District court record for Dona Ana County, 1854-1856, 1 volume.

TAOS COUNTY.

(County seat, Taos.)

Of all the counties in New Mexico, Taos has been the most turbulent and disorderly. Many of her records have been destroyed, and those in existence are greatly confused. During the native uprising against

American authority in the winter of 1846-47, which had its center in Taos, all the official records that could be found by the revolutionists were taken into the plaza and burned in a great bonfire.

The following archives in the office of the probate clerk are of importance:

Record of deeds, 1852-1908, 17 volumes.
 Record of probate court, March, 1847-1889, 6 volumes. (Later records in "General records.")
 Record of chattel mortgages, 1886-1895, 1 volume. (Later records in "General records.")
 Mining records, 1865-1908, 14 volumes.
 Records of marriages, 1863-1905, 1 volume.
 Marriage applications and licenses, 1905-1908, 1 volume.
 Record of wills and guardians, March, 1847-1908, 8 volumes.
 General records.

SAN MIGUEL COUNTY.

(County seat, Las Vegas.)

The probate clerk's office in this county contains a very complete set of records since the creation of the county in 1852, as follows:

Proceedings of county commissioners, 1852-1909.
 Records of the probate court, 1852-1909.
 Records of deeds, December 17, 1852-1909, 68 volumes.
 Record of cattle brands, 1868-1909, 7 volumes.
 Sheriff's tax-sale record, 1872-1909, 2 volumes.
 Record of redemptions, 1877-1909, 2 volumes.
 Chattel mortgage record, 1876-1909, 11 volumes.
 Real estate mortgage record, 1880-1909, 21 volumes.
 Renewal of chattel mortgages, January 13, 1890-1909, 2 volumes.
 Record of liens, July 9, 1890-1909, 2 volumes.
 Record of county bonds, November 23, 1890-1909, 1 volume.
 Record of official bonds, January 1, 1893-1909, 2 volumes.
 Adoption record, January 15, 1900-1909, 1 volume.
 Record of wills, January 6, 1890-1909, 1 volume.
 Testimony of witnesses to wills, January 6, 1890-1909, 2 volumes.
 Administration of estates, November 18, 1883-1909, 5 volumes.
 Marriage register, April, 1905-1909, 3 volumes.
 Birth register, April 25, 1907-1909, 1 volume.
 Death register, April 23, 1907-1909, 1 volume.
 Articles of incorporation, May 15, 1905-1909, 1 volume.
 Record of land patents, February 19, 1886-1909, 2 volumes.
 Record of mining locations, August 16, 1889-1909, 2 volumes.
 Record of power of attorney, December 22, 1891-1909, 1 volume.

MORA COUNTY.

(County seat, Mora.)

PROBATE CLERK'S OFFICE.

Probate court record, April 9, 1860-1909, 13 volumes. (Numbered A to D, then 1 to 9.)
 Record of deeds, October 10, 1860-1909, 24 volumes.
 Patent record, November 17, 1888-1909, 2 volumes.

Mortgage-deed record, 1892-1909, 4 volumes.
 Quitclaim-deed record, 1888-1909, 3 volumes.
 Record of mining locations, 1888-1909, 1 volume.
 Record of mining deeds, 1889-1909, 1 volume.
 Record of relinquishments, 1900-1909, 1 volume.
 Direct index to deeds, 1860-1909, 1 volume.
 Indirect index to deeds, 1860-1909, 1 volume.
 Chattel mortgage record, 1889-1909, 3 volumes.
 Chattel mortgage renewal record, 1889-1909, 3 volumes.
 Marriage record, 1866-1891, 1905-1909, 2 volumes.
 Certificades de Adopcion, Mayo 7, 1900-1909, 1 volume. (Certificates of adoption, May 7, 1900-1909, 1 volume.)
 Records of wills, guardians, and administrators, 1868-1909, 6 volumes. (Badly confused. 1882-1884 missing.)
 Register of births, June 15, 1907-1909, 1 volume.
 Register of deaths, April 26, 1907-1909, 1 volume.
 Record of county bonds, 1883-1909, 1 volume.
 Administrators' bonds, 1875-1884, 1 volume.
 Records of justices of the peace, 1891-1909, 1 volume.
 Brand book, 1885-1909, 1 volume.
 Reception book, 1888-1909, 1 volume.
 Clerk's journal, January 18, 1889-1909, 4 volumes.
 Clerk's ledger, January 18, 1889-1909, 4 volumes.
 Record of judgments, March 24, 1874-1909, 1 volume.
 County commissioners' journal, 1888-1909, 4 volumes.
 Register of county warrants, 1886-1896, 1 volume.
 Register of vouchers approved by county commissioners, 1903-1909, 1 volume.
 Tax rolls, 1874-1909, 72 volumes.

This catalogue of records in five counties is sufficient to show their importance for the period following 1850. Many of the records are more important than can be indicated in a brief report like the present one. This is especially true of the large mass of deed records. Scattered through them here and there, with probability favoring the early volumes, are to be found many old Spanish and Mexican grants dating far back of the American period. They have been brought in and recorded from time to time. The student who would examine them must search them out in volume after volume of later records. They are, of course, all in Spanish. This is likewise true of most of the early records under the territorial government, and Spanish documents of various kinds are scattered through the records down to recent times. The student, without a command of both languages, finds himself surrounded with hidden secrets.

ARCHIVES OF THE CHURCH.

Servants of the Catholic Church have been in New Mexico as long as Spanish people have lived here. They came with the discoverers and explorers, and they have been with every other band. The

churchman, however, is so much interested in the past and future that he fails to leave very full chronicles of what is going on around him. The records of the church, with all their great age, are not therefore very satisfactory documents for the student of history, but still they are indispensable. Their greatest service in New Mexico is in settling questions of dates and genealogy. Registers of births, deaths, marriages, and especially baptisms, have been kept in some places from the date of settlement to the present time. As the oldest and most important collections are in the churches of the Rio Grande Valley, I have, with one exception, confined my researches to that region. The Mora country was brought into great prominence by events just following the American occupation of the Territory. Its church records have therefore been included with those of the more important Rio Grande settlements of Albuquerque, Santa Fe, Taos, San Juan, and Santa Cruz.

ARCHIVES OF SAN FELIPE CHURCH, ALBUQUERQUE.

Baptismal record, June 21, 1706-1908, 18 volumes. No entry for 1772-1776.

The volume for 1802-1822 is missing, but is thought to be in Santa Fe. Before 1850 the volumes are numbered in order, B, Z, Y, R, P, Q, S, T, A.

Births and baptisms in same book.

Marriage record, May 30, 1776-1908, 7 volumes.

Death record, June 19, 1776-1908, 7 volumes.

Letters patent of ecclesiastical superiors, kings, and governors, 1745-1810.

These include all of such documents as pertained to the church or could be secured by the priests in charge.

First book of cordilleras, 1818-1851. A collection of decrees of bishops, governors, etc., much like those in the preceding entry.

Collection of papers concerning various fees of the church (about 1812). The following are of interest:

Burial of mulattoes and free negroes (high mass), \$8.

Burial of child of Spanish parents (high mass), \$8.

Burial of child of negro parents (high mass), \$5.

Small collection of papers relating to the chapel at Alameda, San Antonio, and Manzano (1820).

Small collection of papers relating to patronal feasts (about 1820).

Application by the inhabitants of Tomé to the government at Santa Fe for fixing banks of Rio Grande River, 1828.

Petition to the government to prevent people who left grants during Indian troubles from returning in time of peace and reoccupying them, 1837.

Pastoral letters of the bishop of Durango (small collection), about 1850.

Estadísticas de los pueblos de Indios de Nueva México por el año de 1794.

(Statistics of the Indian pueblos of New Mexico for the year 1794). A very old and well-preserved manuscript.

Private letters of bishops and priests for granting faculties (various dates).

Libro de fábrica y inventarias, 1818-1861. This includes detailed statements of the general accounts and property of the church during the period covered.

Diligencias matrimoniales, about 500 in number. These "Matrimonial arrangements" begin in 1736, but there is only one here and there for several years. They begin regularly in 1768 and continue until after the American

occupation. A few are missing. These singularly interesting documents contain, for each marriage, statements by both of the contracting parties, and by the parents of each, concerning the age, character, social position, property, etc., of the prospective bride and groom. All this was a ceremony under the auspices of the church, and records of the proceedings were left with the priest.

Enough evidence has been presented here to show that the church archives at Albuquerque are not only of great importance, but that they are probably the most important in New Mexico.

CHURCH ARCHIVES AT SANTA FE.

Baptismal and birth record (both in same entry), 1747-1909, 18 volumes.

Only a few entries for 1766-1770.

Marriage record, 1728-1909, 6 volumes. No records for 1783-1821.

Funeral record, 1726-1909, 9 volumes. Early records confused. No record for 1834-1845.

Undoubtedly there are other records of priceless value at Santa Fe aside from these merely formal records; but the writer gained access to none but these.

ARCHIVES OF THE CHURCH OF OUR LADY OF GUADALUPE, TAOS.

Record of baptisms, marriages, and funerals (in same book), 1799-1826, 1 volume.

Baptismal record, 1789-1908, 17 volumes. First volume covers 1789-1799; second begins with 1827.

Marriage record, 1827-1908, 7 volumes.

Funeral records, 1827-1908, 6 volumes.

Confirmation records, 1830-1850 and 1894-1908, 2 volumes.

Diligencias matrimoniales, 1830-1847. Five bunches containing probably 125 documents. (For explanation see Archives of San Felipe, Albuquerque, above.)

ARCHIVES OF ARROYO HONDO PARISH, TAOS.

Baptismal record, 1852-1869, 2 volumes.

Marriage record, 1852-1869, 1 volume.

Funeral record, 1852-1869, 1 volume.

During the period 1852-1869 Arroyo Hondo was an independent parish. Now it is a part of the parish of the Church of Our Lady of Guadalupe, at Taos, and its records are part of the records of that church. Those covering the period 1852-1869 are in the keeping of the parish priest at Taos.

ARCHIVES OF THE SAN JUAN CHURCH AT CHAMITA.

Baptismal record, 1726-1908, 12 volumes. Complete except for parts of a few volumes that have been lost, particularly of the volume for 1853-54.

Marriage record, 1726-1776, 1 volume; 1829-1855, a bunch of loose records making about one volume; 1857-1908, 2 volumes. No records at all for 1776-1829 and 1855-1857.

Funeral record, 1726-1908, 6 volumes. Early records very few and irregular. None at all for 1826-1851 and 1855-1857.

ARCHIVES OF SANTA CRUZ CHURCH AND SURROUNDING MISSIONS.

I. *Santa Cruz.*

Baptismal record, 1731-1908, 11 volumes. No record for the year 1768.

Marriage record, 1726-1908, 7 volumes. No records for 1768, 1795, and 1870-1885.

Funeral record, 1726-1908, 5 volumes. No record for 1781-1795.

II. *Surrounding missions.*

Baptismal records:

San Ildefonso and Nambe, 1779-1876, 3 volumes. No record for 1840-1853.

Nambe and Pojoaque, 1772-1837, 1 volume.

Santa Clara, 1841-1854, 1 volume.

Marriage records:

San Ildefonso, 1728-1880, 2 volumes. No record for 1853-54.

Santa Clara, 1726-1846, 1 volume.

Pojoaque, 1780-1853, 1 volume.

Nambe, 1772-1862, 1 volume.

Funeral records:

San Ildefonso, 1840-1875, 2 volumes.

Santa Clara, 1854-1866, 1 volume.

Pojoaque, 1779-1846, 1 volume.

Nambe, 1772-1869, 1 volume.

CHURCH ARCHIVES AT MORA.

Baptismal record, 1856-1908, 7 volumes.

Marriage record, 1856-1908, 4 volumes.

Funeral record, 1856-1908, 4 volumes.

CONCLUSION.

- Before closing this report I wish to direct attention to some general conditions which have come to my notice during these investigations, some of which have already come out in the body of the report.

1. In almost every group of archives the records for certain data or period have been reported as "missing," or, sometimes that there is "no record," which in most cases means the same thing. There is, however, evidence in some of these cases tending to show that there never was any record. But what became of those that have disappeared? They have gone in many ways. It seems highly probable that the larger part of them have been carried away by curio hunters both from within and without the Territory. I am reliably informed that scholars have in some cases secured access to groups of these old records, and that after their departure old manuscripts were missing which had been there for generations before. Such abuse of confidence as this has made the church records almost inaccessible, and except under the eye of a keeper, absolutely so. My letters of introduction from the chairman of the public archives commission and a

few influential citizens of the Territory gained me access to the ordinary archives everywhere that I desired it, with one exception. One priest, who would not allow me to enter his archives room, was gracious enough to go through the records for me and furnish a complete written statement of their contents. This is strong evidence of the fear of having some document carried away by anyone who gets a chance.

2. In all the archives, Territorial, county, and church, more or less confusion is apparent in the early records. It is not uncommon to find two or even three volumes of the same record for the same years. For example, one for 1847-1860, a second for 1850-1858, and perhaps even a third for 1854-1859. This simply indicates the carelessness and complete lack of system which prevailed in early days, and which has found its way down to very recent times.

3. I should regret, however, if anything that I have said should be construed as reflecting on the present Territorial officials or recorders in the various counties visited. For there is every evidence that during the last decade or two they have been performing their duties faithfully. The archives are in fireproof vaults, and, except in a few counties, are in steel cases. It is very much to be regretted that none of the church archives are in any place of safe-keeping. Even a small safe would be some protection from fire. But there are none. And these priceless records lie unprotected except by the jealous care of their keepers.

4. The prevalence of the Spanish language in every kind of archives is especially noticeable. In the church archives it is used down to the present time to the practical exclusion of English. This, however, would be expected in view of the fact that probably 95 per cent of the Catholics in the Territory are Spanish-speaking people. The county archives furnish a greater variety. In general, it may be said that during the last 15 or 20 years they are in English, and that prior to that time they are in Spanish. Almost every set of records, however, furnishes exceptions to the rule. It is not uncommon to take up a volume of records dating back to 1850, or even earlier, and find numerous entries in English. On the other hand, it is easy to find twentieth century records with little or no English in them. The statements made here concerning the county archives are almost equally true of the Territorial archives in the various departments at Santa Fe. This difference is the most conspicuous: Records in the departmental offices for recent years are exclusively in English. This condition is of special importance to the student of even the most recent periods, since he must have a good command of Spanish in order to use records which are chiefly English. Otherwise he may find himself checked at any time by coming upon a group of Spanish entries.

5. In view of the mixture of languages, I have in this report listed almost everything with the proper English title, unless it is to be found under some specific Spanish caption. In the latter case I have ordinarily given the Spanish title, with English translation when there was an exact English equivalent.

6. There is in New Mexico a rich mass of documentary material in the hands of private individuals who are descended from early Spanish and English settlers. This should be exploited at an early date. It could not be touched upon in this report for want of time and money, and because the report concerns itself only with official or semiofficial archives.



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